

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
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WILFRED C. RODRIGUEZ,

Plaintiff,

v.

GLOBE INSTITUTE OF TECHNOLOGY,
INC.,

Defendant.

No. 15-CV-1435 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

Plaintiff Wilfred C. Rodriguez filed the instant action on February 26, 2015 against his former employer, the Globe Institute of Technology (“GIT”), alleging that GIT failed to pay him overtime in violation of the Fair Labor Standards Act (“FLSA”) and New York Labor Law (“NYLL”). GIT failed to answer or otherwise respond to the complaint, and the Court granted Rodriguez’s request for default judgment on December 29, 2015. On December 22, 2015, the Court referred the case to Magistrate Judge Netburn for an inquest into damages. Now before the Court is Judge Netburn’s Report and Recommendation (the “Report”), dated August 10, 2016, to which no objections were made.

Having reviewed the Report for clear error, *see Galeana v. Lemongrass on Broadway Corp.*, 120 F. Supp. 3d 306, 310 (S.D.N.Y. 2014) (“When the parties make no objections to the Report, the Court may adopt the Report if there is no clear error on the face of the record.” (internal citation omitted)), the Court hereby adopts it in its entirety. Accordingly, plaintiff is awarded (1) \$25,397.54 in unpaid overtime wages; (2) \$25,397.54 in liquidated damages under the FLSA; (3) \$25,397.54 in liquidated damages under the NYLL; (4) \$9,500 in attorneys’ fees; and (5) \$542 in

costs, for a total award of \$86,234.62. The parties' failure to file written objections, after Judge Netburn warned that such failure would result in a waiver of objections for the purposes of appeal, precludes appellate review. *See Caidor v. Onondaga Cty.*, 517 F.3d 601 (2d Cir. 2008).

The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: October 4, 2016
New York, New York



Ronnie Abrams
United States District Judge